



CITY OF CLEVELAND

Mayor Justin M. Bibb

Civilian Police Review Board Agenda

Tuesday May 14, 2024

Billy Sharp, Chairman

Marcus Perez, Administrator

**Civilian Police Review Board &
Office of Professional Standards**

205 West St. Clair, 3rd Floor

Cleveland, Ohio 44113

www.clevelandohio.gov/ops

CIVILIAN POLICE REVIEW BOARD
MEMBERS OF THE BOARD

Billy Sharp, Chairman

Vacant, Vice Chairman

Dave Gatian, Board Member

Sherall E. Hardy, Board Member

Kenneth Mountcastle, Board Member

Chenoa C. Miller, Board Member

Michael Graham, Board Member

Brandon Brown, Board Member

Diana Cyganovich, Board Member

MEETING NOTICE & AGENDA

The Civilian Police Review Board will hold a public meeting at the following date and time:

Tuesday May 14, 2024 at 0900 am

**THE MEETING WILL BE HELD IN PERSON AT CLEVELAND CITY HALL
601 Lakeside Avenue, Room 514**

You can view the meeting via YouTube:

<https://www.youtube.com/channel/UCjvji5gYnraY74Emrj6N5wg>

Tuesday May 14, 2024

MEETING AGENDA

- I. CALL TO ORDER Billy Sharp, Chairman
- II. APPROVAL OF MINUTES CPRB
- III. PUBLIC COMMENT Billy Sharp, Chairman
- IV. PRESENTATION OF INVESTIGATIONS WITH CITIZENS PRESENT Marcus Perez, Administrator
- V. PRESENTATION OF INVESTIGATIONS Marcus Perez, Administrator
- VI. EXECUTIVE SESSION CPRB
 - A. Motion for executive session for personnel, employment and discipline matters will be considered.
 - B. ROLL CALL vote to adjourn into the executive session.
 - C. Invite legal personnel, including Mr. Gaynier, OPS Administrator, and General Manager to attend.
- VII. OPS STATUS REPORT Marcus Perez, Administrator
 - A. REVIEW OF CHIEF DISCIPLINARY DECISIONS
 - B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS
 - C. UPDATES ON POLICY RECOMMENDATIONS
 - D. NACOLE REGISTRATION
- VIII. NEW BUSINESS Billy Sharp, Chairman
 - A. STATUS REPORT SUMMARY
 - B. NEW HIRE APPOINTMENTS
 - C. UPDATES ON POLICY RECOMMENDATIONS
- IX. OLD BUSINESS Billy Sharp, Chairman
- X. ADJOURNMENT

Presentation of Investigations

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	23-187	Santiago	Szymanski	Harassment Unprofessional Behavior Lack of Service	<p>P.O. Luis Flores, #800 Allegation: Harassment Recommendation: Motion: Second:</p> <p>Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p> <p>Allegation: Lack of Service-Duty to Furnish Name, Rank, Badge Recommendation: Motion: Second:</p> <p>Sgt. Michael Keane, #9198 Allegation: Harassment Recommendation: Motion: Second:</p> <p>Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p> <p>Allegation: Lack of Service-Duty to Furnish Name, Rank, Badge Recommendation: Motion: Second:</p> <p>Allegation: WCS Violation Recommendation: Motion: Second:</p>

					<p>P.O. Eric Rost, #1587 Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p> <p>Allegation: Lack of Service-Duty to Furnish Name, Rank, Badge Recommendation: Motion: Second:</p>
2	24-0064	Burns	Khabir	<p>Unprofessional Behavior</p> <p>Lack of Service</p>	<p>Dispatcher Jinger Malave, #147 Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p> <p>Allegation: Lack of Service Recommendation: Motion: Second:</p>
3	23-254	Vaughn	Smith	<p>Improper Procedure – Stop</p> <p>Bias Policing</p>	<p>P.O. Christian Crane, #50 Allegation: Improper Procedure-Stop Recommendation: Motion: Second:</p> <p>Allegation: Bias Policing Recommendation: Motion: Second:</p> <p>P.O. Jearod Woods, #2170 Allegation: Improper Procedure-Stop Recommendation: Motion: Second:</p>

					Allegation: Bias Policing Recommendation: Motion: Second:
4	24-0033	Werner	Smith	Improper Procedure - Tow	P.O. Thomas Harrigan, #1085 Allegation: Improper Procedure-Tow Recommendation: Motion: Second:
5	21-114	Rothschild	Szymanski	Unprofessional Behavior Lack of Service	P.O. Matthew MacLaren #931 Allegation: Unprofessional Behavior Recommendation: Motion: Second: Allegation: Lack of Service Recommendation: Motion: Second:
6	22-0081	Price	Bowker	Improper Arrest	Sgt. Charles Boddy, #9254 Allegation: Improper Arrest Recommendation: Motion: Second: Sgt. George Roberts, #9296 Allegation: Improper Arrest Recommendation: Motion: Second:
7	23-0076	Pitts	Harris	Unprofessional Behavior Lack of Service	Detective Kenneth Potchatek, #2016 Allegation: Unprofessional Behavior Recommendation: Motion: Second: Allegation: Lack of Service Recommendation:

					Motion: Second:
8	23-0086	Alexander	Khabir	Biased Policing Improper Procedure	Sgt. David Day, #9182 Allegation: Biased Policing Recommendation: Motion: Second: P.O. Steven Obed, #2134 Allegation: Biased Policing Recommendation: Motion: Second: P.O. Carlos Robles, #2283 Allegation: Biased Policing Recommendation: Motion: Second: Allegation: Improper Procedure – Citation Recommendation: Motion: Second:
9	23-127	Kanning	Lanman	Lack of Service	P.O. Diovanni Smith, #285 Allegation: Lack of Service Recommendation: Motion: Second:
10	23-183	Sneed	Lanman	Unprofessional Behavior	P.O. Tyrence James, #1208 Allegation: Unprofessional Behavior Recommendation: Motion: Second: P.O. Dimand Murphy, #1264 Allegation: Unprofessional Behavior Recommendation: Motion:

					<p>Second:</p> <p>P.O. Dylan O'Donnell, #1280 Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p> <p>P.O. David Polocy, #1031 Allegation: Unprofessional Behavior Recommendation: Motion: Second:</p>
11	23-216	Williams	Lanman	Improper Procedure-Arrest	<p>P.O. Cory Beckwith, #1363 Allegation: Improper Procedure-Arrest Recommendation: Motion: Second:</p>
12	23-225	Pore	Bowker	Improper Procedure-Tow	<p>Lt. Stephen Beckner, #8555 Allegation: Improper Procedure-Tow Recommendation: Motion: Second:</p> <p>P.O. Nathaniel Miller, #2072 Allegation: Improper Procedure-Tow Recommendation: Motion: Second:</p> <p>P.O. Joseph Wright, #2445 Allegation: Improper Procedure-Tow Recommendation: Motion:</p>

					Second:
13	23-0251	Brown	Bowker	Improper Procedure-Stop	P.O. Richard Rusnak, #849 Allegation: Improper Procedure-Stop Recommendation: Motion: Second:
14	23-270	Anonymous	Bowker	Unprofessional Behavior	Detective Patrick Andrejcek, #5 Allegation: Unprofessional Behavior Recommendation: Motion: Second:
15	24-0051	Harrison	Harris	Lack of Service	P.O. Jamieson Ritter, #1176 Allegation: Lack of Service Recommendation: Motion: Second: P.O. Rashaun Searles-Fowler, #2157 Allegation: Lack of Service Recommendation: Motion: Second:
16	22-217	Brown	Smith	Policy Violation-WCS Lack of Service	P.O. Brizillo Hall, #476 Allegation: WCS Violation Recommendation: Motion: Second: P.O. Gerald Mooneyham, #2241 Allegation: WCS Violation Recommendation:

					<p>Motion: Second:</p> <p>Allegation: Lack of Service Recommendation: Motion: Second:</p> <p>Sgt. Albert Oliver, #9220 Allegation: WCS Violation Recommendation: Motion: Second:</p> <p>Allegation: Lack of Service Recommendation: Motion: Second:</p>
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Departure(s) from the Chief or Director

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	DIRECTOR'S DECISION
1					
2					

Statics on Cases for May Meeting

INVESTIGATION STATUS:	
Abridged:	3
Standard:	7
Complex:	1
Harassment:	2
Excessive Force:	0
Lack of Service:	10
Unprofessional Behavior/Conduct	10
Bias Policing	3
WCS Violation	4
IMPROPER PROCEDURE:	0
Improper Citations	1
Improper Search	0
Improper Stop	1
Improper Tow	4
Improper Arrest	3
Improper Warrant	0
Improper Collection of Evidence	0
PROPERTY:	0
Missing Property	0
Damage to Property	0



Summary Investigation Out-Brief

Investigator – Joseph S. Szymanski

OPS Case # 2023 - 0187 - Complainant – Cressencio Santiago

Subject – Sgt. Michael Keane #9198, P.O. Eric Rost #1587, P.O. Luis Flores-Galarza #800

Administrative/Case Information

Status: Open (Aug 4, 23) Closed (Apr 30, 24) **Total of Days** (270)

Classification: Complex

Initial Allegation(s): Harassment, Lack of Service/No Service, and Unprofessional Behavior/Conduct.

Other Matters: WCS Violation.

References: CDP Manual of Rules and Regulations: Section IV. DUTY 4.03, 4.13, and Section V. BEHAVIOR 5.09. Cleveland Division of Police General Police Orders 1.1.08, 2.02.01, 4.06.04. Cleveland Division of Police Divisional Notice 21-026.

Evidence Collection: Citizen Complaint, LERMS Reports, WCS, Google Map of Alleged Incident Location (1st District), CDP Daily Duty Assignments and Duty Reports, Complainant and Officer Statements, and Correspondence.

Case Summary: Mr. Santiago alleged Sgt. Michael Keane #9198 and P.O. Luis Flores-Galarza #800 harassed him on 08-03-23 for open carry (constitutional carry). He alleged an *unprofessional behavior/conduct* allegation against Sgt. Keane, P.O. Flores-Galarza, and P.O. Eric Rost #1587. He stated they were rude and did not know how to communicate or talk, especially Sgt. Keane as he was disrespectful right away by saying, "Oh, you're asking me? You're doing this for attention." He alleged a *Lack of Service – Duty To Furnish Name, Rank, and Badge Number* as he asked all the officers for their names and badge numbers, which they did not provide, alleging they had jumped into their vehicles and pulled off as nobody wanted to provide their credentials. He alleged an officer (P.O. Flores-Galarza) pulled over, hit the curb, and jumped out of his truck at him. There was an irregularity with the questions asked, the officer (P.O. Flores-Galarza) asked the same questions the Sergeant did, they drove up and down the street, circled his property, made U-turns, and followed him. However, he contradicted himself when he said the Sergeant never approached him.

Key Findings

P.O. Luis Flores-Galarza #800 complied with GPO 1.1.08, 2.02.01, Divisional Notice 21-026. WCS showed he was the only officer to have contact with the complainant. In his encounter, he did not express any *harassment-type behavior or communication*. He had a *consensual conversation* with the complainant, advised the complainant that he was open-carrying, and was good several times. Pursuant to 21-026, the complainant was advised correctly that Ohio is an open-carry state. P.O. Flores-Galarza's questioning was casual and consensual as the complainant's path was free to leave, and he was advised he was not being detained.

P.O. Luis Flores-Galarza #800 complied with 5.09. P.O. Flores-Galarza did not show any *unprofessional behavior or conduct* in his encounter with the complainant. WCS and the preponderance of evidence established that P.O. Eric Rost #1587 did not have contact or speak with the complainant, indicating that this behavior and conduct did not occur.

P.O. Luis Flores-Galarza #800 and P.O. Eric Rost #1587 were not requested to furnish their name, rank, or badge number. Therefore, they do not have a duty to comply by 4.13.

The preponderance of the evidence failed to establish if Sgt. Michael Keane #9198 had an in-person encounter with the complainant and complied with GPO 1.1.08, Manual Rules and Regulations 4.13, 5.09, as Sgt. Keane did not have WCS of the alleged conduct/behavior. Sgt. Keane had no obligation to comply with GPO 4.06.04 as the preponderance of the evidence showed he did not respond to a call of service. Sgt. Keane said the reason he responded to the area was to ensure his officers didn't overstep their bounds and to ensure they didn't bother the complainant; so, he watched from afar. He had no contact with the complainant. Further, the complainant contradicts his encounter with a sergeant and the responding officers WCS did not show them make mention of Sgt. Keane, hear communication (radio) from Sgt. Keane or of his voice, nor visualize Sgt. Keane nor his zone car.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service/ No Service	WCS Violation	Unprofessional Behavior/ Conduct	Harassment	Biased Policing	Missing/Damaged Property	Excessive Force
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Summary Investigation Out-Brief

**Investigator – Hamza Khabir-
Case # 2024-0064 – Pauline Burns
Dispatcher Jinger Malave #994895**

Administrative/Case Information

Status: Open 03/26/2024 – Closed 04/18/2024 (23 days total)
Investigative Report - Abridged
Allegation #1: Unprofessional behavior
Allegation #2: Lack of Service
Other Matters: N/A
References: (Bureau of Communications and Property Control Communications Control Section policy No. 1.1.17 revised 9 Jan 2023)
Case Summary: On 26 March 2024, the Office of Professional Standards (OPS) received a complaint from Ms. Pauline Burns alleging that call taker Jinger Malave was rude, unprofessional, and no police were dispatched to her home. Ms. Burns contacted 911 because her family was being menaced by friends of her daughter. Ms. Burns said she kept being cut off when trying to tell the dispatcher what happened. Ms. Burns said after 3 hours no police had arrived to her home. So, she went to the 4th District to file a complaint in person. Ms. Burns said she was told to be quiet and felt that Ms. Malave had an attitude.
Evidence Collection:
 AUDIO FILE OF 911 CALL: DURATION 00:08:10
 EVENT CHRONOLOGY
 INTERVIEW OF MS. BURNS

Key Findings:

Narrative On 03/23/2024, Ms. Burns called 911 and the dispatcher asked her to explain what was going on. Ms. Burns began to tell the dispatcher the events that led up to her calling 911, but Dispatcher Malave interrupted her because she was trying to get pertinent information so police could be dispatched. Ms. Burns began again attempting to explain the situation and a minute into the conversation Dispatcher Malave asked, “What’s going on right now? That you need the police.” Ms. Burns continues trying to explain the situation but was not answering the questions being asked of her. Dispatcher Malave annotated on the event chronology “Caller [Ms. Burns] keeps talking over me & hard to get info from her [Ms. Burns].” Dispatcher Malave kept her composure and determined that the information Ms. Burns was reporting via 911 happened the day prior. Dispatcher Malave told Ms. Burns they would send a patrol car to her location for further investigation and to call back if the situation escalated again before the police arrived. Due to the nature and urgency of the call it was categorized as Priority 4. Fellow Dispatcher, Jacqueline Mizikar followed up this call via protocol by updating the event chronology until the situation was finally resolved by Ms. Burns going to the 4th District to report the incident.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / Insufficient	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Jermaine A. Smith

OPS Case # 2023-0254 - Complainant: Julius Vaughn

Subject Officers: P.O. Jearod Woods #2170 and P.O. Christian Crane #1067

Administrative/Case Information

Status: Open October 16, 2023/ Closed April 28, 2024, (195 days)

Investigation Type: Standard

Initial Allegation #1: Improper Procedure- Improper Stop

Other Matters #2: Biased Policing

References: The Cleveland Division of Police General Police Orders (GPO) 2.02.01 and 1.07.08.

Evidence Collection: Recorded and written Statements.

Case Summary: On Monday, October 16, 2023, the Office of Professional Standards (OPS) received an in-person complaint from Julius Vaughn. In his complaint, Mr. Vaughn alleged Patrol Officers J. Woods #2170 and C. Crane #1067 improperly detained him outside of the JACK Cleveland Casino gift shop. Mr. Vaughn further alleged the Patrol Officers stopped and subsequently detained him because he was Black and neglected to advise him of his Miranda rights.

Key Findings:

Narrative:

On Friday, October 13, 2023, Patrol Officers J. Woods #2170 and C. Crane #1067 worked a part-time security detail (secondary employment) at JACK Cleveland Casino. Patrol Officers Woods and Crane were notified (via portable radio) by JACK Cleveland Casino security/ surveillance (Surveillance) of a suspected shoplifting incident at JACK Swag Shop (21 Prospect, E.). Surveillance advised the suspected parties involved in the incident were an unidentified Black woman and a Black male (later identified as Mr. Vaughn) that were believed to have accompanied each other into the shop. Surveillance also provided the officers a physical/clothing description of the male and female in question, as P.O. Woods and Crane responded to JACK Swag Shop.

Upon arrival, Patrol Officers Woods and Crane were approached by Mr. Vaughn. The Patrol Officers advised Mr. Vaughn of their reason for coming to the shop and advised him to remain on the scene as they spoke with JACK Swag Shop staff, to gather further information. Mr. Vaughn advised the patrol officers the female in question left the area before their arrival.

Therefore, Patrol Officers Woods and Crane advised Mr. Vaughn he was free to go, as JACK Swag Shop staff and Surveillance were unable to provide evidence of him shoplifting. Subsequently, Mr. Vaughn became verbally abusive toward the patrol officers and staff. Therefore, Patrol Officers Woods and Crane advised Mr. Vaughn to leave the area.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure (Stop)	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Jermaine A. Smith
OPS Case # 2024-0033 - Complainant: David E. Werner
Subject Officer: P.O. Thomas Harrigan #1085

Administrative/Case Information

Status: Open February 22, 2024/ Closed April 17, 2024, (55 days)

Investigation Type: Abridged

Initial Allegation #1: Improper Procedure-Improper Tow

Other Matters #2: N/A

References: The Cleveland Division of Police General Police Orders (GPO) 6.03.01.

Evidence Collection: CDP Incident Reports, CDP WCS video, Recorded Statements.

Case Summary: On Sunday, January 28, 2024, OPS received a complaint (via e-mail) from David E. Werner. In his complaint, Mr. Werner alleged CDP P.O. Harrigan #1085 improperly towed his motor vehicle from the scene of a traffic crash. Mr. Werner alleged a CDP tow was unnecessary, as a private tow (free of CDP impound fees) would have sufficed, as his vehicle did not pose a danger to motorists.

Key Findings:

Narrative:

On Sunday, January 28, 2024, P.O. T. Harrigan #1085 and his partner P.O. Garcia #2165 responded to a reported traffic crash on Interstate 90 (westbound) between the 44th St. highway entrance and Lorain Ave. highway exit. Upon arrival, P.O. Harrigan observed two vehicles at the crash scene. One of the vehicles (belonging to Mr. Werner) was located on the highway embankment, wedged between trees in a wooded area. Subsequently, P.O. Harrigan requested an Emergency Tow for the two vehicles, before he met the drivers of both vehicles involved in the traffic crash. One of the drivers was Mr. David E. Werner.

Mr. Werner advised P.O. Harrigan that he contacted Kufner Towing to schedule a private tow for his vehicle (white SUV). Mr. Werner further advised P.O. Harrigan the estimated time of arrival (ETA) for the private tow was thirty minutes. P.O. Harrigan advised Mr. Werner thirty minutes would be too long to wait for a tow, because of the danger the accident scene posed to drivers on the highway. However, P.O. Harrigan advised Mr. Werner as a courtesy they would wait some time for the private tow to arrive.

Upon arrival of the CDP Emergency Tow truck, P.O. Harrigan offered to cancel Mr. Werner’s private tow. Mr. Werner accepted P.O. Harrigan’s offer to cancel the private tow. Mr. Werner expressed worry regarding CDP tow/impound cost. P.O. Harrigan advised Mr. Werner that Mr. Werner’s motor vehicle insurance company would pay any incurred fees. Subsequently, CDP towed Mr. Werner’s vehicle from the crash scene, and P.O. Harrigan and P.O. Garcia provided Mr. and Mrs. Werner with courtesy transport to their home.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure (Tow)	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator's – David Hammons (Prior Investigator – No longer w/OPS) / Joseph Szymanski (Assigned Investigator)
OPS Case # 2021 - 0114 - Complainant – Kendra A. Rothschild
Subject – P.O. Matthew Maclaren #931

Administrative/Case Information

Status: Open/(May 19, 21)/Closed/(Jan 19, 24)/# of Days (975)

Classification: Standard.

Initial Allegation(s): Lack of Service/No Service and Unprofessional Behavior/Conduct.

References: CDP Manual of Rules and Regulations: *Section IV. DUTY 4.03, 4.11, 4.14, and Section V. BEHAVIOR 5.09. Cleveland Division of Police General Police Order 3.4.16: Enforcement of Domestic Violence Statutes.*

Evidence Collection: Citizen Complaint, LERMS Reports, WCS, Radio Communication, Complainant Statement, and Correspondence.

Case Summary: On 05-19-21, at W. 9th and Johnson Ct., the complainant reported witnessing a female beaten by two males. She said an hour passed before police arrived. When police arrived, the two males had returned inside an apartment, and the female victim [Dominique Harris] was outside; the officers did not exit the zone car right away or ensure the victim was okay when seated on the sidewalk, bleeding, out of breath, after being beaten. P.O. Maclaren had only rolled his window halfway down to collect the victim's statement. P.O. Maclaren never exited the vehicle, even-though they had asked if they would get out to ensure the victim was okay, providing P.O. Maclaren responded, "Can you girls just quiet down? You guys are annoying. I can't hear anything she's trying to say." She said P.O. Maclaren remained inside the vehicle, speaking to the victim, as she inquired if he would get out and ask if the victim needed an EMS and was holding onto the victim to set her down. She said she informed the officers they had intervened, and the males returned to an apartment building the officers did not act upon and remained inside the zone car. The officers had no care in the world, blew it off, refused to take her information when she requested to provide it and was told, "No. It's okay. We'll handle this." She said P.O. Maclaren did all the talking and was rude towards her and the victim. She felt P.O. Maclaren was extremely unprofessional and described him as a disgusting, pathetic, rudest male she had ever met. Further, she had argued with the officers for 15-20 minutes, cussed them out, and left.

Key Findings

P.O. Maclaren complied by 4.11. The preponderance of evidence showed he received a *Priority 2* assignment as an *Assault*. He responded within a reasonable time when he received the assignment without unreasonable delay. He did not comply with 4.03, 4.14, and the procedures of GPO 3.4.16. He *did not give full attention to the performance of his duties* by not complying with 4.03, as he had a duty to *provide assistance to injured and sick persons and obtain proper transportation to the nearest hospital*. He did not comply by 4.14 as the victim had informed him of her injuries from what occurred. The victim informed him she had a scratch that burned and was pregnant with the suspect's baby, who had choked her and put her to sleep. P.O. Maclaren collected photos of the victim's injuries. He did not offer her EMS, medical treatment, or assistance regarding her injuries. He did not comply with GPO 3.4.16 as he did not request the victim to fill out or sign a MM complaint statement. He did not provide a copy of the Information Sheet, Form #71-2195, the Ohio Attorney General's booklet *Picking Up the Pieces*, or the Domestic Violence Center's information card. He was informed twice by the victim she was pregnant with the suspect's baby, who had choked her, putting her to sleep. Pursuant to P.O. Maclaren's narrative of the field base report, he did not make any mention of the victim being pregnant at the time of the offense. The CDP Domestic Violence Supplemental Form revealed he didn't mark the box that he gave the victim the Domestic Violence Information Sheet, confirming with WCS. Further, he marked "none" for medical treatment.

P.O. Maclaren complied with 5.09. He did not show that he did not care, was rude, or was unprofessional in his behavior or conduct. WCS revealed he heightened/raised his tone twice when on scene. However, it did not rise to a level of unprofessional behavior or conduct. The first time he heightened/raised his tone, directed toward the complainant and walking away. Others raised their tone at her as it appeared she needed to move her vehicle. P.O. Maclaren appeared to be issuing a lawful order to gain compliance, as the complainant did not want to move her vehicle. The complainant returned, informing him she did not want to move her vehicle. The officer heightened/raised his tone toward the group of females talking loudly behind the victim as he was conducting his investigation. He told them he was trying to have a conversation, kindly asked if they could yell somewhere else, informed them that he would be with them shortly, and thanked them.

- Briefed to Complainant: NO
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: NO
- Policy or Training Recommendation: N/A

Lack of Service/ No Service	WCS Violation	Unprofessional Behavior/ Conduct	Improper Procedures	Biased Policing	Missing/Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Art Bowker

OPS Case # 2022-00081 - Complainant: Brandy Price

Subject Officers: Charles Boddy #9254 George Roberts #9296

Administrative/Case Information

Status: Open (April 14, 2022 / Closed (April 17,2024): Total (731) days

Investigation Type: Standard/Abridged

Initial Allegation #1: Improper Arrest

References: The Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police (Manual) Sections 4.11 and 4.18 . General Police Order (GPO) 2.02.01 and 3.04.01

Evidence Collection: WCS Footage, Written Complaint and Field Case Reports 2022-00099844 and 2022-00099844.

Case Summary: The complainant’s written statement reflects the following, with no officer identified: “Daughter was assaulted by multiple people and went to press charges and was handcuffed after rescuing her daughter.”

Narrative: Attempts to secure a complainant interview, via telephone, regular mail, certified mail, and a home visit were all unsuccessful.

Key Findings:

WCS footage and reports reflect the complainant’s daughter, Dionna Daily, was a named suspect in Field Case Report 2022-00099844, alleging she committed Burglary, Assault, Endangering Children, Criminal Damaging, and Aggravated Menacing. Officers took pictures of damages and obtained a written complaint from Tierra Ward, of 13105 Wilton Avenue, Cleveland, Ohio. On the scene is Sgt. Roberts. The statement and pictures of damages established probable cause that Daily had committed a crime.

Sgt. Charles Boddy #9254 and Sgt. George Roberts #9296 are reflected on WCS footage discussing the incident and making the decision that Daily is to be charged with burglary and assault. Daily requested EMS treatment and was transported to the hospital by EMS with an officer accompanying her in transit.

Upon arrival at the hospital, an officer received further details from Daily about the incident and saw her being treated for injuries. This information was relayed via cell phone and the complainant’s daughter was released without being charged and a second Field Case Report 2022-00100064 was completed. This report alleges that Ward and Curtis Smith, committed Domestic Violence, Endangering Children and Assault and Daily and the complainant were listed as victims. Both referenced reports are signed off on by Sgt. Boddy and reflect that officers conferred with Sgt. Roberts.

- Briefed to Complainant:
- Did Complainant Request Additional Support:
- Briefed to CDP Officer or Employee:
- Policy or Training Recommendation:

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator: Hercules Harris

OPS Case # 2023-0076 – Complainant: Wynter Pitts

Subject Officer: Det. Kenneth Potchatek (Patrol Officer at the time of incident)

Administrative/Case Information

Status: Open (4/12/2023) / Closed (4/11/2024) (Open 364 days)

Investigation Type: Standard

Initial Allegation #1: Unprofessional Behavior

Initial Allegation #2: Lack of Service

References: Manual Rule 5.09: Personnel shall be courteous and respectful in their speech, conduct, and contact with others. Manual Rule 4.13: Personnel shall furnish their name, rank, and badge number to any person who may request it. GPO 4.03.03 (I.B.): CDP officers shall not refuse requests for service concerning incidents occurring on CMSD property in the City of Cleveland.

Evidence Collection: WCS of P.O. Potchatek, CDP Incident Report 2023-00102145, & CMSD Incident Report 2023-231134

Case Summary: Ms. Pitts stated CDP was contacted due to a physical altercation between several students at Dike School of the Arts. Officer Potchatek and several other CDP officers arrived at the school. She spoke with Officer Potchatek who had a nasty disposition. When she asked Officer Potchatek for his name, he said it extremely fast and walked away. Later on in the interaction, she asked Officer Potchatek to speak with one of the parents whose child was involved in a physical altercation at the school and he told her CMSD Police should handle the situation.

Key Findings:

Narrative: Based on Officer Potchatek’s WCS, OPS doesn’t believe his behavior was unprofessional. Officer Potchatek wasn’t rude and didn’t have a negative demeanor. Officer Potchatek and the other CDP officers were given limited information while responding to Dike School of the Arts. Officer Potchatek and other CDP Officers arrived, but there was no evidence of a fight. There was only an upset parent speaking to staff. Officer Potchatek was trying to figure out what was going on and where they were needed. However, Ms. Pitts was on the phone and told the officers to wait a moment. Officer Potchatek saw Officer Green and went to speak to him to see how CDP could provide assistance. CDP Officers tend to speak to Security or Police Officers first, if the location they’re responding to has them on scene. Officer Potchatek gave his name and badge number each time Ms. Pitts asked for it and even spelled it for her.

OPS reviewed GPO 4.03.03 (I.B.) which states that CDP officers shall not refuse requests for service concerning incidents occurring on CMSD property in the City of Cleveland. Officer Potchatek responded to Ms. Pitts’ call-for-service in a timely manner and ensured no one was in imminent danger. According to the GPO, these are the only necessary measures required. OPS reviewed GPO 4.03.03 (II.A.) which states “CMSDPD will use best efforts to investigate all crimes reported on CMSD property, with the exception of incidents outlines in GPO 4.03.01. OPS reviewed GPO 4.03.01 and the offense of Fighting/Assault isn’t listed as an incident that CDP shall have investigative responsibility. GPO 4.03.01 (I.A.) states the Division shall assist other police agencies with investigations or other matters of mutual concern when called upon. CDP responded to the call with CMSDPD also responding. In this situation, CMSDPD would be the agency to take the report. Based on a review of the evidence, Officer Potchatek’s actions weren’t a refusal to assist the complainant, but protocol as outlined in CDP’s policy.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Hamza Khabir

Case # 2023-0086 – Rosie Alexander

Subject Patrol Officer Sgt. Daniel Day #9182 Subject Patrol Officer Carlos Robles #2283 Subject Patrol Officer Steven Obed #2134

Administrative/Case Information

Status: Open 04/18/2023/ Closed 04/28/2024 (375 Total days)

Investigative Report - Standard

Allegation #1: Bias Policing

Allegation #2: Improper Citation

Other Matters: N/A

References: (The Manual of Rules for CPD Section 5.01, 5.09 and GPO 1.07.08), Cleveland Codified Ordinance § 605.03 Disorderly Conduct, Newburgh Heights v. Halasah (1999)

Case Summary: On April 13th 2023, the Office of Professional Standards (OPS) received a complaint from Rosie Alexander who alleged CPD officers were biased towards her because she was a Black woman. She also thinks she was issued a citation for disorderly conduct that she feels she did not deserve.

Evidence Collection:

WCS footage from responding officers.

Interview of Ms. Alexander

Court transcripts

Key Findings:

Narrative: Ms. Alexander was cited for parking in a handicap spot. Following the citation there was a dispute over the validity of the citation. Ms. Alexander requested a supervisor. Ms. Alexander then called P.O. Robles a “racist bastard.” P.O. Robles responded “I do not think I’m a racist ma’am.” Ms. Alexander replied, “Yes you is bitch.” At that point P.O. Robles informs Ms. Alexander that is disorderly conduct. Ms. Alexander insists that she has the right to call P.O. Robles a racists if he is being one. P.O. Robles informed Ms. Alexander she would be getting a citation for disorderly conduct because she was screaming profanities. P.O. Steven Obed who was in training as a PPO, (Probation Period Officer) wrote the citation for disorderly conduct at the direction of P.O. Robles. P.O. Robles then instructs P.O. Obed to see if he can get any witnesses to the alleged disorderly conduct stating, “It will help if you have to go to court.” P.O. Obed could not find any witnesses that stated Ms. Alexander was acting disorderly. On 05/16/2023, the criminal case for disorderly conduct was dismissed for want of prosecution. Additionally, ORC § 2917.11 does not identify the rude behavior by Ms. Alexander (calling P.O. Robles a racists) as a violation of the ordinance for Disorderly Conduct.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / Insufficient	Improper Citation	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Susan Lanman
OPS Case # 2023-0127 - Complainant Mark Kanning
Subject Officer Diovanni Smith Badge # 285

Administrative/Case Information

Status: Open June 7, 2023 / Closed March 7, 2024 (271 Days)
 (Type of Report) Standard
 Initial Allegation #1: Lack of Service/No Service
 Other Matters: N/A
 References: Ohio Revised Code, Section 5502.12 Use of written report of motor vehicle accident, Effective July 17, 2009
 Ohio Revised Code 4509.06 Accident report alleging uninsured driver or owner
 Ohio Revised Code § 2903.08
 Ohio Revised Code 4501-41-03 Transparent, Nontransparent, Translucent and Reflectorized Materials on Windows of Vehicles/Specifications.
 CDP GPO 8.1.02 (effective December 9, 2012) OH-1 Traffic Accident Reports, Supplements and Violation Enforcement
 CDP Manual of Rules, Section IV, 4.08 - Personnel shall perform any other duties that may be directed to them by their superior officer.

Evidence Collection: WCS recordings, CDP reports, Interviews, case law, statutes

Case Summary: On April 28, 2023, at approximately 7:00 pm, at or near Euclid Ave and 12th Street, Kanning was in the crosswalk, with the light in his favor, walking northbound when a driver struck him with his car causing Kanning to suffer serious injury. Kanning alleged that Officer Smith failed to provide him service when he did not thoroughly investigate, correctly document the OH-1 form, or properly charge and cite the driver of the vehicle that struck him.

Key Findings:

Narrative:

Officer Smith’s on-scene investigation included Officer Smith meeting with EMS personnel, interviewing Kanning before EMS transported him to the hospital, observing Kanning’s injuries, discussing with Kanning his injuries, interviewing Ellis, the driver, inspecting Ellis’s vehicle for damage, documenting Ellis’s proof of insurance, obtaining witness identifying information, going to the hospital to speak to Kanning. Additionally, Officer Smith conferred every step of his investigation with Sergeant Harris on the day of the accident. Officer Smith completed the required OH-1 following CDP policy. Officer Smith’s OH-1 complied with the directions of the Ohio Crash Investigation Report Manual for each section of the OH-1 per department policy. Sergeant Harris reviewed and approved Officer Smith’s OH-1.

The day after the accident, CDP learned that Kanning’s injuries were more severe than presented at the scene. Officer Smith returned to the hospital. He spoke to Kanning’s duty nurse and attending doctor regarding the full extent of Kanning’s injuries related to the accident. He received detailed information from the medical staff. Sergeant Mikolajski then directed Officer Smith to create a supplement report to document the new medical information. Sergeant Mikolajski also directed Officer Smith to cite Ellis for running a red light. Sergeant Mikolajski reviewed and approved Officer Smith’s supplement report, but failed to have him label the report with word supplement. Lieutenant Bennett had Officer Smith create a second supplement for the purpose of labeling it with the word supplement. The labeled supplement report is on record with the Ohio Department of Public Safety.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Susan Lanman

OPS Case # 2023-0183 - Complainant Donald Sneed

Subject P.O. Dylan O'Donnell Badge # 1280, P.O. Dimand Murphy # 1264, P.O. Tyrence James # 1208, P.O. David Polocy # 1031

Administrative/Case Information

Status: Open 08/03/2023 / Closed 2/28/2024 (210 Days)

(Type of Report) Standard

Initial Allegation #1: Unprofessional Behavior/Conduct

Other Matters: N/A

References: CDP Manual Rules Section V. Rule 5.08

Personnel shall conduct themselves in such a manner as to command the respect of the public.

Evidence Collection: WCS, CDP reports, CDP BOC recordings and event chronology, WCS audit trail, Officer Interview, CDP Daily Duty Assignment records

Case Summary:

On July 28, 2023, at approximately 11:04 am, the above-listed officers responded to a call for service at 6000 Marginal Rd, Fox 8 building for a male, Donald Sneed (Sneed), who Fox 8 security had asked to leave the property. The officers arrived and met with Sneed lying on the ground near the property. Officers asked Sneed several times if he needed medical services, and he refused. Officers assisted Sneed to a standing position, informed him he was not to return to the property, and gave him a ride to the bus stop to go home.

Key Findings:

Narrative:

Officers met with Sneed, who was lying on the ground, and immediately asked him about his health and repeatedly asked if he needed medical services. The officers spoke to Sneed calmly and respectfully. The officers did not argue with Sneed or raise their voices at him. The officers then ensured Sneed was able to safely get off the ground and assisted him to a standing position. The officers allowed Sneed to ask questions and then answer them. The officers took time to explain to Sneed why Fox 8 personnel asked him to leave the property. They told Sneed why he was not allowed back on the property and the legal consequences if he stayed or returned to the property. The officers ensured Sneed safely left the property and provided him with a ride to the bus stop so he could go home.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Susan Lanman
OPS Case #2023-0216 - Complainant Destiny Williams
Subject P.O. Cory Beckwith Badge # 1363

Administrative/Case Information

Status: Open September 6, 2023 / Closed February 12, 2024 (160 Days)

(Type of Report) Standard

Initial Allegation #1:Improper Arrest

Other Matters: N/A

References:

CDP General Police Order 3.04.01 Probable Cause/Warrantless Arrest, Effective January 01, 2020, Procedures 1(A)(2) Section 1

General Requirements for Probable Cause/Warrantless Arrests

A. Unless possessing a warrant, officers may not arrest a suspect unless the officer:

- 2. Has probable cause that the subject has committed or is committing certain misdemeanor offenses (e.g., an offense of violence, criminal , child enticement, public indecency, domestic violence, violation of a protection order, menacing by stalking, aggravated trespass or theft).

Evidence Collection: WCS, Statements, CDP reports, Court documents

Case Summary: On June 21, 2023, Officer Beckwith and his partner arrived at an apartment building based on a report that a neighbor reported a man and woman arguing and it had possibly turned physical. Officers made contact with the named couple and immediately observed the female, Williams on the ground, visibly upset and the male, Norfleet a few feet away from her.

The officers escorted Williams and Norfleet outside. Williams was then arrested on an outstanding warrant at which time she informed Officer Beckwith she had been punched three times in the chest by Norfleet, was in pain and needed EMS. Williams was transported to the hospital and provided a statement of the assault to the transporting officer who relayed the information to Officer Beckwith. Norfleet, who had been taken into custody for an unrelated outstanding warrant, was then charged with kidnapping, assault and criminal damage based on Williams's statement.

Key Findings:

Narrative: Office Beckwith and his partner were dispatched to a possible assault call. A neighbor placed a 911 call regarding Norfleet and Williams arguing and believed the fight had turned physical. Officer Beckwith first observed Williams visibly upset, crying, crouching on the floor and Norfleet only a few feet away from her. Officer Beckwith questioned Williams numerous times about what had occurred between her and Norfleet. He had her confirm her injuries and how she received them. He had Officer Taylor question Williams about her interaction with Norfleet, the sequence of events, and how she received her injuries. Williams is recorded telling Officer Beckwith five separate times she wanted to press charges against Norfleet. She told Officer Beckwith, Officer Thompson, and EMS personnel that Norfleet had punched her in the chest three times. Williams said Norfleet had broken her phone, and he would not let her leave the apartment. Williams requested and was transported to the hospital after she complained of pain in her chest from being punched by Norfleet.. All of Williams's statements regarding Norfleet's assault on her were recorded in their entirety on WCS.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure (Arrest)	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Art Bowker

OPS Case # 2023-0225 - Complainant: Anthony Pore

Subject Officers: Nathaniel Miller #2072, Joseph Wright #2445, and Lt. Stephen Beckner #8555

Administrative/Case Information

Status: Open (September 18, 2023) / Closed (April 17, 2024): Total days (210)

Investigation Type: Standard

Initial Allegation #1-3: Improper Towing

Other Matters: None

References: General Police Order (GPO) 8.2.01 Vehicle Tow or Release (June 16, 2003) replaced by GPO 6.03.01 (March 28, 2022) and Cleveland Codified Ordinance (CCO) §405.02 Impounding of Vehicles

Evidence Collection: WCS footage, complainant interview, incident reports, documents provided by complainant

Case Summary: The complainant alleges his vehicle was improperly towed on May 20, 2021 and September 18, 2023. The tow in 2021 was completed by Nathaniel Miller #2072 and the 2023 tow was completed by Joseph Wright #2445 and Lt. Stephen Beckner #8555.

Key Findings:

Narrative: During an OPS interview the complainant acknowledged that both in 2021 and in 2023 he was driving a vehicle without a valid license, that the vehicle was not registered with the state of Ohio and that he had outstanding warrants for his arrest for similar violations.

He maintains he has documents and court orders that exempt him the Ohio requirement to have his vehicle registered. Additionally, he noted that the courts with the outstanding warrants for his arrest have noted he is to be advised of the warrants but released and not arrested, which includes not towing his vehicle. For these reasons he does not believe the officers should have towed his vehicle.

WCS footage for September 18, 2023 towing incident reflects he made the same arguments to Joseph Wright #2445, and Lt. Stephen Beckner #8555. (WCS footage for the 2021 incident was not retained)

Documents provided by the complainant are not official court orders but a mix of documents including uniform commercial code (UCC) filings, a letter from Washington State Dept. of Licensing concerning a UCC search and written statements by him that have been notarized.

The complainant's documents are consistent with those used by Sovereign citizens who believe the government is operating outside of its jurisdiction and generally do not recognize federal, state, or local laws, policies, or governmental regulations.

- Briefed to Complainant:
- Did Complainant Request Additional Support:
- Briefed to CDP Officer or Employee:
- Policy or Training Recommendation:

Lack of Service / No Service	Improper Procedure (Tow)	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Art Bowker

OPS Case # 2023-0251 - Complainant: Rayne Brown

Subject Officers: Richard Rusnak #849

Administrative/Case Information

Status: Open (September 28, 2023)/ Closed (): April 17, 2024 Total days

Investigation Type: Abridged

Initial Allegations #1 and 2: Improper Stop Arrest and Unprofessional Conduct

References: The Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police (Manual) Section 5.01 General Police Order (GPO) 2.02.01 Cleveland

Evidence Collection: WCS Footage, Written Complaint and Cleveland Municipal Court Case 2023-TRD-014987

Case Summary: The complainant alleges Officer Richard Rusnak #849 made a traffic stop based upon her vehicle’s appearance and he was unprofessional during the stop.

Narrative: The complainant maintains she was not speeding and requested to see Officer Rusnak’s radar device. She also alleged he taunted and threatened her with having to go to court because of the time it was taking for her to provide information to him.

Key Findings:

WCS footage reflects Officer Rusnak advised the complainant she was going 85 mph in a 50 mph zone. He asks for her driver’s license and proof of insurance. The complainant keeps her windows up and Officer Rusnak notes he can’t hear her as a result. The complainant tells him to shut up and uses profanity. WCS does not reflect her asking to see Officer Rusnak’s radar device.

Officer Rusnak asks her several times to produce her driver’s license, noting she will have to go to court if she does not provide it to him. After approximately five minutes she provides her driver’s license.

Officer Rusnak uses a window tint meter which reflected the complainant’s tint exceeds the legally permitted amount. He cites her for speeding, window tint, an obstructed license, and no seat belt. The citation reflects the complainant has three or more speeding violations, a third degree misdemeanor, under Cleveland Codified Ordinance (CCO) 601.99, which required a court appearance under CCO 435.10.

- Briefed to Complainant:
- Did Complainant Request Additional Support:
- Briefed to CDP Officer or Employee:
- Policy or Training Recommendation:

Lack of Service / No Service	Improper Procedure (Stop/Arrest)	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Art Bowker

OPS Case # 2023-0270 - Complainant: Anonymous

Subject Officer: Patrick Andrejcek #5

Administrative/Case Information

Status: Open (November 20, 2032) / Closed (): Total days

Investigation Type: Standard

Initial Allegation #1: Unprofessional Conduct,

References: The Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police (Manual) Section 5.01.

Evidence Collection: Complainant and Officer interviews and Duty Report

Case Summary: On November 16, 2023, OPS received an anonymous telephone complaint alleging that on that same date, at approximately 8:43 a.m. Detective Patrick Andrejcek #5 drove vehicle #8275 in an unprofessional manner.

Key Findings:

Narrative: There is no video evidence for this case. On November 16, 2023, at approximately 8:40 am, the complainant was traveling north on West 150th Street or Warren Road. She was near a private school at the time and was located in the right lane. She observed Vehicle #8275, later determined to be driven by Detective Patrick Andrejcek #5, in the left lane behind her vehicle. He was following very close to her vehicle. Each time she changed lanes he did so as well. She believe he was driving extremely close and was tailgating her vehicle. She estimates he was driving in this manner for about two to three minutes. She felt it was unprofessional and that he was attempting to intimidate her by the way he was driving.

During Detective Andrejcek’s OPS interview he acknowledged he was driving Vehicle #8275. during the time and location noted by the complainant. He drove consistent with the traffic flow, which was congested. He would change lanes as others changed lanes in front of him to pass turning vehicles. He denies he was tailgating anyone. He also denied he was following anyone. Detective Andrejcek noted he may have appeared he was following the complainant but he was merely proceeding around vehicles as she was doing. He did not have his WCS activated nor was he required to have it on. Detective Andrejcek denied he was driving in an unprofessional manner.

- Briefed to Complainant:
- Did Complainant Request Additional Support:
- Briefed to CDP Officer or Employee:
- Policy or Training Recommendation:

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator: Hercules Harris

OPS Case # 2024-0051 - **Complainant:** Thelma Harrison

Subject Officers: P.O. Jamieson Ritter #1176 & P.O. Rashaun Searles-Fowler #2157

Administrative/Case Information

Status: Open (3/11/2024) / Closed (4/16/2024) (Open 36 days)

Investigation Type: Standard

Initial Allegation #1: Lack of Service

Other Matters: N/A

References: GPO 5.05.01 - (Policy): Members shall thoroughly investigate any incident of domestic violence and in cases where there is evidence of domestic violence, members shall arrest the primary physical aggressor ensuring compliance with Ohio Revised Code 2935.03 and 2919.25.

Evidence Collection: CDP Field Case Report 2024-00063814, WCS of P.O. Ritter & Searles-Fowler

Case Summary: On 3/11/2024, the Office of Professional Standards (OPS) received a complaint from Thelma Harrison. In her complaint, Ms. Harrison stated she contacted CDP because she was assaulted by her sister (Anna Mae Sutton). Officers Jamieson Ritter and Rashaun Searles-Fowler responded, but failed to arrest Ms. Sutton.

Key Findings:

Narrative: Officer Ritter and Searles-Fowler conducted a comprehensive investigation by speaking to the victim (Ms. Harrison) and alleged suspect (Ms. Sutton) as well as looking for witnesses to the incident. The officers examined Ms. Harrison’s neck and face with a flashlight and neither officer saw any marks on her. In the residence where the assault allegedly occurred, there weren’t any signs of a struggle or altercation. Ms. Harrison and Ms. Sutton both admitted to consuming alcohol and appeared intoxicated, especially Ms. Harrison. Ms. Harrison was offered medical attention several times, but she refused EMS.

GPO 5.05.01 states officers shall make an arrest if there is evidence of domestic violence. A review of the officers’ investigative steps showed it was reasonable to believe an assault did not occur. Therefore, the officers weren’t required to make an arrest. The officers completed a Field Case Report (2024-00063814) to document the incident and referred it to the Third District Detective Bureau for follow-up.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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Summary Investigation Out-Brief

Investigator – Jermaine A. Smith (Julie Delaney-Previous Assigned Investigator)

OPS Case # 2022-0217 - Complainant: Josile Brown

Subject Officers: Sgt. Albert Oliver #9220, P.O. Gerald Mooneyham #2241, and P.O. Brizilio Hall #476 #1067

Administrative/Case Information

Status: Open August 31, 2022/ Closed April 28, 2024, (606 days)

Investigation Type: Standard

Initial Allegation #1: Lack of Service

Other Matters #2: WCS Violation

References: The Cleveland Division of Police General Police Orders (GPO) 6.2.17, 4.06.04, Ohio Revised Code (ORC) 3109.042, 3111.04, 3111.13, and 609.05

Evidence Collection: Recorded / written Statements, WCS Video, CDP Field Case Report (2022-00251738).

Case Summary: On Wednesday, August 31, 2022 the Office of Professional Standards (OPS) received a complaint from Josile Brown. Ms. Brown alleged in her complaint, that on Monday, August 29, 2022, she responded to CDP District 4 station to report her one-year-old daughter missing. Ms. Brown alleged in the days that followed, Sgt. A. Oliver #9220, P.O. G. Mooneyham #2241, and P.O. Hall #476 lacked in the service they provided her. Ms. Brown alleged the CDP Officers refused to provide her a Missing Person (Juvenile) report.

Key Findings:

Narrative:

On Monday, August 29, 2022, Josile Brown attempted to file a police report regarding her missing one-year-old daughter, at CDP District 4 station. Ms. Brown advised P.O. G. Mooneyham #2241 that she entrusted her daughter to the child's grandmother (who lives outside of the state of Ohio) and her child was not returned to her on an agreed-upon date. P.O. Mooneyham advised Ms. Brown that he would not file her daughter as missing because the child was believed to be in the care of the child's father. However, after conferring with Sgt. A. Oliver #9220, P.O. Mooneyham advised Ms. Brown he would file a report of Interference with Custody.

Subsequently, Ms. Brown returned to CDP District 4 on Tuesday, August 30, 2022, because her daughter was not returned to her by the child's father. Again, Ms. Brown requested to file a Missing Person (Juvenile) police report and again her request was denied by Sgt. Oliver. Sgt. Oliver sited no need for a Missing Person (Juvenile) report because the child was in the care of the child's father and en route to CDP District 4 Station (to be returned at a specified time). Sgt. Oliver advised Ms. Brown that she would be able to file her child missing if/when the child was not returned by a specific time.

However, Ms. Brown's child was not brought to the CDP District 4 station by the time specified by Sgt. Oliver. Subsequently, Sgt. Oliver instructed P.O. Hall #476 to file Ms. Brown's child missing. However, before the report was completed Ms. Brown's child was returned (later than specified) to her at CDP District 4 by the child's father.

- Briefed to Complainant: N/A
- Did Complainant Request Additional Support: N/A
- Briefed to CDP Officer or Employee: N/A
- Policy or Training Recommendation: N/A

Lack of Service / No Service	Improper Procedure	Unprofessional Behavior / Conduct	Harassment	Biased Policing	Missing / Damaged Property	Excessive Force
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